

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6945

BILL NUMBER: HB 1279

NOTE PREPARED: Jan 11, 2012

BILL AMENDED:

SUBJECT: Various Natural Resources Matters.

FIRST AUTHOR: Rep. Eberhart

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: This bill moves the State Land Office from the Indiana Department of Administration (IdoA) to the Department of Natural Resources (DNR).

Hunting, Fishing, and Trapping: The bill allows the Director of DNR to give certain individuals permission to spotlight wild animals or use a silencer. The bill allows fishing by means of a crossbow. The bill also removes certain conditions on the right of a nonresident who owns farmland in Indiana (and of the spouse and children who reside with the nonresident) to hunt, fish, and trap on the farmland without a license. It repeals the prohibition on racoon hunting by nonresidents.

Lengthened Inspection Cycles: The bill increases the time period within which each parcel of land classified as native forest land, a forest plantation, or wildlands must be inspected from five years to seven years.

Nonresident Conservation Officer Licensing: The bill removes a provision allowing a federal Fish and Wildlife Service officer or a conservation officer from another jurisdiction to hunt or fish in Indiana after obtaining a resident license. It also increases the number of annual free sport fishing days that may be designated from two to four.

Bait Dealer's License: The bill requires a business that sells or barterers live minnows or crayfish to have a bait dealer's license. (Current law requires a business that takes, catches, sells, or barterers live minnows or crayfish to have a bait dealer's license.)

Game Breeding License: The bill allows the sale of game and furbearing mammals for food purposes under a game breeding license. It removes swamp rabbits from the list of exempted animals under a game breeding

license.

Invasive Species Pilot Program: The bill makes the invasive species pilot program a permanent program.

Shooting Preserve Special License: The bill requires all individuals to have a hunting license to shoot on a shooting preserve, and removes the requirement that nonresidents have a special license to shoot on shooting preserves.

The bill increases the amount that an office of DNR or the Department of Revenue (DoR) must deposit on the business day following receipt from \$100 to \$500.

The bill requires that hunting license stamps be electronically generated. It removes the requirement that commemorative stamps be furnished to the circuit court.

The bill removes authority of a meat processing facility to sell for cost, properly tagged deer meat that is not claimed to another person.

It removes the authority for an individual with a hunting, trapping, or fishing license to ship, carry, or take outside Indiana in one week more than two times the possession limit for the wild animal.

The bill provides that the entirety of an area declared to be infested with a pest or pathogen must be operated according to standards of the Natural Resources Commission (Commission). (Current law specifies the infested area in terms of portions of townships.)

The bill changes the nursery stock certificate expiration date from September 30 to December 31.

The bill changes the procedures that the Commission must follow when mediating surface water disputes.

The bill establishes the reclamation cash bond account within the Post-1977 Abandoned Mine Reclamation Fund.

The bill requires that bonds forfeited under the abandoned oil and gas well law be placed in the Oil and Gas Environmental Fund.

It also makes technical and conforming changes.

Effective Date: July 1, 2012.

Explanation of State Expenditures: *Summary:* This bill contains provisions that may result in reduced expenses, or operating efficiencies. The fiscal impact of the provisions of the bill on expenses are expected to be minor.

Lengthened Inspection Cycles: The bill would allow the Division of Forestry to increase the length of time between required inspections of parcels of land classified as native forest land, a forest plantation, or wildlands. This would allow inspections to continue without expanding the level of resources necessary to accomplish the inspection cycle.

Invasive Species Pilot Program: The bill would make permanent a pilot program that allows the taking of

a specified invasive species in the Wabash River by means of firearms or by hand. The DNR would use existing resources to enforce this program as part of the enforcement activities currently undertaken on the Wabash River.

Provisions That Improve Efficiency of Operations-

The bill increases the amount that an office of DNR or the Department of State Revenue must deposit on the business day following receipt from \$100 to \$500.

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It removes the authority for an individual with a hunting, trapping, or fishing license to ship, carry, or take outside Indiana in one week more than two times the possession limit for the wild animal.

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Provisions that have no Fiscal Impact-

This bill moves the State Land Office from IDOA to the DNR.

Hunting, Fishing and Trapping: The bill allows the Director of DNR to give certain individuals permission to spotlight wild animals or use a silencer. The bill allows fishing by means of a crossbow. The bill also removes certain conditions on the right of a nonresident who owns farmland in Indiana (and of the spouse and children who reside with the nonresident) to hunt, fish, and trap on the farmland without a license. It repeals the prohibition on racoon hunting by nonresidents.

Explanation of State Revenues: This bill contains provisions that may impact the number of various DNR licenses sold. The fiscal impact is indeterminate, but likely small.

Shooting Preserve Special License: The bill would eliminate the requirement that nonresidents hunting on

a shooting preserve must have a special license costing \$8.75. To the extent that out-of-state hunters use shooting preserves, the bill may increase the amount of fee revenue associated with nonresident hunting licenses because the nonresident license fee is \$80.

Nonresident Conservation Officer Licensing: The bill would eliminate an exemption that allows nonresidents to acquire resident hunting and fishing licenses. (Currently, the resident hunting license fee is \$17, and the nonresident license fee is \$80. The resident fishing license fee is \$17, and the nonresident license fee is \$35. The resident deer hunting license fee is \$24; the nonresident fee is \$150. A separate deer license is required for each deer taken.) The fiscal impact of this provision would depend on the extent to which the individuals that took advantage of the exemption would purchase nonresident licenses without the exemption. The revenue impact is most likely small.

Game Breeding License: The bill would allow the sales of game mammals or furbearing mammals for food purposes. The bill also would require that a game breeding license is required to breed swamp rabbits. These provisions are an expansion of activities allowed under the existing license program that would have little or no fiscal impact.

Bait Dealer's License: The bill specifies that a person selling or bartering live minnows or crayfish for bait is required to have a bait dealer's license. This provision eliminates an area of potential confusion and should have little or no fiscal impact.

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: DNR, IdoA, DoR.

Local Agencies Affected:

Information Sources: DNR.

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